

CLD/2020R00516

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

KYLE ELIO RIPPER,

Defendant.

CLERK'S OFFICE
AT BALTIMORE
BY DEPUTY

CRIMINAL NO. SA 6-20-0362

(Sexual Exploitation of a Minor, 18 U.S.C. § 2251(a); Coercion and Enticement, 18 U.S.C. § 2422(b); Possession of Child Pornography, 18 U.S.C. § 2252A(a)(5)(B); and Forfeiture, 18 U.S.C. §§ 2253 and 2428)

INDICTMENT

Counts One -Three
(Sexual Exploitation of a Minor)

The Grand Jury for the District of Maryland charges that:

At all times material to this Indictment:

General Allegations

1. **KYLE ELIO RIPPER ("RIPPER")**, was born in 1997, and was a resident of Laurel, Maryland.
2. Minor Victim #1 was a 14-year-old male, and was a resident of Talbot County, Maryland.
3. Minor Victim #2 was a 16-year-old male, and was a resident of Baltimore County, Maryland.
4. Beginning in and around December of 2019, **RIPPER** used his Apple iPhone 8 Plus cell phone, manufactured in China, to meet and communicate with minors, oftentimes utilizing internet-based social media mobile phone applications. **RIPPER** then arranged meetings

with the minors, engaged in sexually explicit conduct with the minors and produced images of the minors engaged in sexually explicit conduct.

The Charges

5. On or about the dates listed below, each instance being a separate count, in the District of Maryland and elsewhere, the defendant,

KYLE ELIO RIPPER,

did employ, use, persuade, induce, entice, and coerce the victims listed below, each of whom was less than 18 years old, to engage in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and such visual depictions have actually been transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate or foreign commerce, and attempted to do so, as follows:

Count	Date	Details
1	December 28, 2019	<p>RIPPER used his Apple iPhone 8 Plus to send a series of text messages to Minor Victim #1's cell phone, an Apple iPhone XR, manufactured in China, and RIPPER caused the minor to produce a visual depiction that contained the lascivious display of Minor Victim #1's naked genitals, including:</p> <ul style="list-style-type: none"> An image file, described as "59927978524_41A2917D-3FF3-4A16-819F-114B8C5CE876.JPG."

Count	Date	Details
2	December 28, 2019	<p>RIPPER used his Apple iPhone 8 Plus to produce a series of visual depictions of Minor Victim #1 engaged in sexually explicit conduct, including:</p> <ul style="list-style-type: none"> • a video file, described as “IMG_1032” which depicts Minor Victim #1 with a white, adult, male penis in and around his mouth; • a video file, described as “IMG_1033” which depicts a white, adult male placing his mouth on what appears to be Minor Victim #1’s penis; and • a video file, described as “IMG_1034” which depicts a white, adult male placing his mouth on Minor Victim #1’s anal area.
3	January 21, 2020	<p>RIPPER used his Apple iPhone 8 Plus to produce a visual depiction of Minor Victim #2 engaged in sexually explicit conduct, including:</p> <ul style="list-style-type: none"> • a video file, described as “IMG_1530.MOV” which depicts a white, adult male and Minor Victim #2 engaged in a sexual encounter, including the lascivious display of Minor Victim #2’s genitals.

18 U.S.C. § 2251(a)

Counts Four - Five
(Coercion and Enticement)

The Grand Jury for the District of Maryland further charges that:

1. The allegations set forth in paragraphs one through four of the General Allegations are incorporated by reference herein.

2. On or about the dates listed below, each being a separate count, in the District of Maryland and elsewhere, the defendant,

KYLE ELIO RIPPER,

did knowingly use and attempt to use a facility and means of interstate and foreign commerce to knowingly persuade, induce, entice and coerce minors to engage in sexual activity for which any person could be charged with a criminal offense, that is, the defendant communicated with Minor Victim #1 and Minor Victim #2 using text messages on his Apple iPhone 8 Plus cell phone, to persuade, induce, entice and coerce the minors to engage in sexually explicit conduct, and to take and send photographs of such conduct, in violation of 18 U.S.C. §§ 2251(a) and 2252A(a)(2), and Md. Code, Crim. Law § 11-207(a)(1), as follows:

Count	Date	Victim
4	December 28, 2019	Minor Victim #1
5	January 18, 2020	Minor Victim #2

18 U.S.C. § 2422(b)

Count Six
(Possession of Child Pornography)

The Grand Jury for the District of Maryland further charges that:

On or about March 10, 2020, in the District of Maryland and elsewhere, the defendant,

KYLE ELIO RIPPER,

knowingly possessed any material that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8), which image had been shipped and transported using any means or facility of interstate and foreign commerce and in and effecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, containing visual depictions of minors engaged in sexually explicit activity including, but not limited to the following (located in the defendant's residence):

ELECTRONIC DEVICE	FILE NAME
Hewlet Packard (HP) Laptop (containing 500 GB Western Digital internal hard disk drive serial number WX71A96H8FED)	<ul style="list-style-type: none"> • Video file "3yo_sucking_cum_in_mouth.3pg" • Video file "2004 5 8 YO BOY FUCKED.mov" • Video File "_azla_girl_.3gp" • Video File "Preparing+kid+for+big+dick.3gp" • Video File "Sex+with+1yo+Grl.wmv"
Seagate Hard Drive (2TB expansion portable drive serial number NA87JZSV)	<ul style="list-style-type: none"> • Video file "001.avi" • Video file "4bea849932.flv" • Video file "0.5yo_lexxa_-_daddy_toy_1.30.3gp" • Video file "1M_49s_1_wmvPavlaFedusina1206.wmv" • Video file "33_33_33_NEW_33_33_33_2006_Privado_Warrior_MOV01190.mpeg"

18 U.S.C. § 2252A(a)(5)(B)

Count Seven
(Possession of Child Pornography)

The Grand Jury for the District of Maryland further charges that:

On or about March 10, 2020, in the District of Maryland and elsewhere, the defendant,

KYLE ELIO RIPPER,

knowingly possessed any material that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8), which image had been shipped and transported using any means or facility of interstate and foreign commerce and in and effecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, containing visual depictions of minors engaged in sexually explicit activity including, but not limited to the following (located in the defendant's vehicle):

ELECTRONIC DEVICE	FILE NAME
Apple iPhone 8 Plus (serial number FD3Z63H4N1YP)	<ul style="list-style-type: none">• Video file "IMG_1032"• Video file "IMG_1033"• Video file "IMG_1034"• Video file "IMG_1530.MOV"

18 U.S.C. § 2252A(a)(5)(B)

FORFEITURE ALLEGATION

The Grand Jury for the District of Maryland further finds that:

1. Pursuant to Federal Rule of Criminal Procedure 32.2, notice is hereby given to the defendant that the United States will seek forfeiture as part of any sentence in accordance with 18 U.S.C. §§ 2253 and 2428, 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), in the event of the defendant's convictions on any of the offense charged in Counts One through Seven of this Indictment.

Sexual Exploitation of Children and Possession of Child Pornography Forfeiture

2. Upon conviction of any of the offenses set forth in Counts One through Three, Six, or Seven of this Indictment, the defendant,

KYLE ELIO RIPPER,

shall forfeit to the United States, pursuant to 18 U.S.C. § 2253(a):

a. any visual depiction described in Title 18, United States Code, Sections, 2251, 2251A, 2252, or 2252A, 2252B, or 2260 or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, received or possessed in violation of Title 18, United States Code, Chapter 110;

b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

c. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property.

Coercion and Enticement Forfeiture

3. Upon conviction of any of the offenses set forth in Counts Four or Five of this Indictment, the defendant,

KYLE ELIO RIPPER,

shall forfeit to the United States, pursuant to 18 U.S.C. § 2428(a):

- a. any interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and
- b. any property, real or personal, constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such violation.

Property Subject to Forfeiture

- 4. The property to be forfeited includes, but is not limited to, the following:
 - a. A Black Apple iPhone 8 Plus (serial number FD3Z63H4N1YP);
 - b. A Hewlett Packard (HP) laptop computer with 500 GB Western Digital internal hard disk drive (serial number WX71A96H8FED);
 - c. A Seagate 2TB expansion portable drive (serial number NA87JZSV);
 - d. A Silver Apple iPhone 6s Model A1688;
 - e. A Silver Apple iPhone with IMEI 355791071674134; and
 - f. A White Apple iPhone 5c Model A1532 (IMEI 013889003529782).

Substitute Assets

5. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be subdivided without difficulty;

the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b) and 28 U.S.C. § 2461(c).

18 U.S.C. §§ 2253, 2428

21 U.S.C. § 853(p)

28 U.S.C. § 2461(c)

A TRUE BILL:

FOR PERSON

Robert K. Hur / CLD

Robert K. Hur

United States Attorney

Date

10/21/2020